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OFFICE OF PETITIONS

In re Application of :
Abhijit B. Rao :
Application No. 09/723,976 :
Filed: November 28, 2000 : DECISION ON PETITION
Attorney Docket No. 36.P292 : UNDER 37 C.F.R. §1.181(A)
Title: DIGITAL IMAGE RETRIEVAL :
AND STORAGE :

This is a decision on the petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment, filed on August 21, 2006.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed July 13, 2005, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on October 14, 2005. A notice of abandonment was mailed on August 10, 2006.

With the present petition, Petitioner has included a response to the non-final Office action, which contains a certificate of mailing dated October 13, 2005.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that petitioner has met his burden of establishing that a response was timely submitted, pursuant to 37 C.F.R. §1.8.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

The Technology Center will be notified of this decision.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

A handwritten signature in black ink, appearing to read "Paul Shanowski".

Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office